



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Thursday, the Twentieth day of January Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMA(MD). No.416 of 2017

1. Chellammal
2. Jeyanthi ... Appellants/Petitioners

Vs

1. Jegan Ram
2. Reliance General Insurance Company Ltd.,
thro. Its Branch Manager,
NO.29, 3rd Floor, North Usman Road,
T.Nagar, Chennai - 17. ... Respondents/Respondents

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the Judgment and Decree of the Motor Accidents Claims Tribunal/ IV Additional District Court, Tirunelveli, dated 06.12.2014 made in M.C.O.P.No.389 of 2013.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this day, upon perusing the Grounds of Appeal, the award of the Tribunal and the material papers to the Appeal and upon hearing the arguments of MR.T.SELVAKUMARAN, Advocate for the Appellants and of , MR.V.SAKTHIVEL, Advocate for the 2nd Respondent and the 1st Respondent not appeared either in person or by Advocate, this Court while allowing the Appeal in part and in modification of the award of the Tribunal below, doth order and decree as follows:-

(1) That, the quantum of compensation award passed by the Motor Accidents Claims Tribunal/ IV Additional District Court, Tirunelveli, dated 06.12.2014 made in M.C.O.P.No.389 of 2013 be and hereby is enhanced to Rs. 9,00,000/- (Rupees Nine Lakhs only) from Rs. 8,10,000/-;

(2) that, the Second Respondent/Insurance Company Ltd., be and hereby is directed to deposit the compensation awarded ie., Rs.9,00,000/- ((Rupees Nine Lakhs only)less the amount already deposited with the court) together with interest at the rate of 7.5% per annum from



the date of claim petition till the date of deposit to the credit of M.C.O.P.No.389 of 2013 on the file of the Motor Accidents Claims Tribunal/ IV Additional District Court, Tirunelveli, within a period of 6 weeks from the date of receipt of a copy of this order;

(3) that, on such deposit being made, the claimants be and hereby are entitled to withdraw the award amount so deposited, as per the order passed by the Tribunal, after following due process of law. The ratio of apportionment made by the Tribunal shall be kept intact and

(4) That, there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The MOTOR ACCIDENT CLAIMS TRIBUNAL/ IV Additional District Judge, Tirunelveli,.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to Mr.V.SAKTHIVEL, Advocate (SR-1926)

+1 CC to Mr.T.SELVAKUMARAN, Advocate (SR-2057)

ORDER DATED : 20/01/2022

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DECREE

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CMA(MD). No.416 of 2017

Nature of Decree:- Allowing the Civil Miscellaneous Appeal in part preferred against the Motor Accidents Claims Tribunal/ IV Additional District Court, Tirunelveli dated 06.12.2014 made in M.C.O.P.No.389 of 2013 and etc., as stated within.

KB (24.03.2022) 2P 6C